

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2002-416-C - ORDER NO. 2003-99

FEBRUARY 28, 2003

IN RE: Generic Proceeding to Review Requirements) ORDER GRANTING
for Competitive Local Exchange Carriers) PETITION TO
Providing Prepaid Local Exchange) INTERVENE
) OUT OF TIME

This matter comes before the Public Service Commission of South Carolina (the Commission) by way of a Petition to Intervene Out of Time (Petition) in the above-captioned proceeding from BellSouth Telecommunications, Inc. (BellSouth or the Company). BellSouth's Petition was filed pursuant to S.C. Code Ann. Regs. 103-836.

The present proceeding before the Commission was established pursuant to the provisions of Order No. 2002-724 issued in Docket No. 2002-208-C, wherein this Commission recognized that there may be some legitimate differences in the regulatory needs of competitive local exchange carriers offering prepaid local services. In the same Order, the Commission found it necessary to establish a generic proceeding to address the issues raised through requested waivers of the Commission regulations concerning late fees and procedures for termination of service and other issues related to the provision of prepaid local exchange services. As part of this proceeding, the Commission also determined that it would consider a bond requirement for non-facilities based competitive local exchange carriers offering prepaid local service.

The Commission's Executive Director required publication of a Notice of Filing of the generic proceeding in newspapers of general circulation. The purpose of the Notice of Filing was to provide notice of the proceeding to any interested parties and to advise interested parties of the manner and time in which to file pleadings to participate in the docket. In the present case, pleadings were to be filed on or before January 30, 2003. In response to the Notice of Filing, several parties intervened in the proceeding.

Thereafter, on February 13, 2003, which was after the return date established by the Notice of Filing, BellSouth filed a Petition to Intervene Out of Time by which BellSouth seeks formal intervenor status in the proceeding. By its Petition to Intervene Out of Time, BellSouth states that certain competitive local exchange carriers providing prepaid local exchange services in South Carolina are parties to resale and/or interconnection agreements with BellSouth. According to BellSouth, the Company only recently learned that the issues to be addressed in this proceeding include, among other things, procedures for termination of service and possibly other matters that could directly and/or indirectly impact the operations of the parties to such agreements. BellSouth states that it was unaware of the deadline to file a Petition to Intervene in the instant docket until well after January 30, 2003. Moreover, BellSouth alleges that granting of its intervention out of time will not prejudice any party or cause any undue delay.

Based upon the foregoing, the Commission finds and concludes that:

1. BellSouth's Petition to Intervene Out of Time should be granted as BellSouth has provided sufficient reasoning for the Company to become a formal party of

record. Further, the Commission discerns no prejudice to any party by granting BellSouth's Petition to Intervene Out of Time.

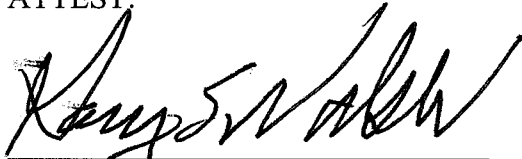
2. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:



Mignon L. Clyburn, Chairman

ATTEST:



Gary E. Walsh, Executive Director

(SEAL)